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Docket No. JA9-98-073
Firm No. 0036.0066

REMARKS

During the phone interviews, the Examiner indicated adding a sheet showing a hemispherical non rotatable member to overcome the objections to the drawings in the Office Action. Applicants propose adding sheet no. 7, FIG. 10, showing a non-rotatable member to overcome the objection as discussed. Applicants submit that this added FIG. 10 does not add new matter because the Application discloses "a non-rotatable member of a hemispherical shape". (Application, pg. 9, lines 3-4) FIG. 10 shows exactly what is disclosed a non-rotatable hemispherical member.

Applicants amended the specification to include a description of FIGs. 8 and 9 in the description of the Drawings included with the filed application in the description of the Drawings. Applicants amend the Description of the Drawings to include a description of existing FIGs. 8 and 9 and added FIG. 10.

Applicants amended the Specification to include a reference to added FIG. 10.

Applicants amend the claims as discussed during the phone interviews to place the case in condition for allowance.

The Examiner rejected pending claims 2, 3, 5, 7-12, 14, 16-18, 20, 21, 23-25, 27, 29, 30, and 32-37 as anticipated (35 U.S.C. §102) by Sone (Japanese Patent No. JP20-81842).

Applicants traverse for the following reasons.

Amended claims 2, 10, and 18 concern a medium feeding apparatus, and require: at least one align roller to align a medium in a path, wherein the medium is positioned in a plane defined by a first axis and a second axis, wherein the align roller is positioned below the medium and is driven to transport the medium in the path along the second axis; and a feed assistance member comprising: (i) a shaft; and (ii) a feed assistance roller rotably mounted to the shaft and positioned to apply pressure on the medium in the path to stabilize the medium while the medium is being aligned in the path by the at least one align roller, wherein the feed assistance member is not rotably connected to the align roller, and wherein the feed assistance member and the at least one align roller are offset with respect to the second axis and wherein the feed assistance member and one align roller both rotate along the second axis.

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Applicants amended claims 2, 10, and 18 to require that the medium is positioned in a plane defined by a first and second axes and that the feed assistance member and the at least one align roller are offset with respect to the second axis and wherein the feed assistance member and one align roller both rotate along the second axis.

The Examiner cited the rollers 4 and 14 as the claimed align rollers and the brush 29 as the claimed feed assistance member. (Office Action, pg. 3) FIG. 1 of Sone does not show the cited brush 29 or rollers 4 and 14 offset with respect to the second axis as claimed. The cited brush roller 29 is positioned so that the tape is sandwiched between brush roller 29 and the tape 3 that moves the paper. Applicants submit that the perspective view of FIGs. 2 and 4 of Sone does not disclose that the brush roller and at least one align roller are offset with respect to the second axis.

Moreover, the cited figures of Sone shows the roller 4 positioned above the paper, not below as claimed. Further, the cited Sone does not disclose the claim requirement that the roller 4 is driven to transport the medium in the path. Instead, the roller 4 appears to press the paper from the top. The cited press roller 14 is shown positioned above the paper in FIGs. 2 and 4 and contacts the paper from above, not below the paper as claimed. Further, the cited Sone mentions that the press roller 14 is used to sandwich the paper. (Sone, pg. 6). However, nowhere does the cited Sone disclose the claim requirement that the press roller 14 is below the paper and drives the transport medium in the path.

Accordingly, the amended claims 2, 10, and 18 are patentable over the cited Sone because Sone does not disclose all the claim requirements.

Independent claims 3, 12, and 21 recite a medium feeding apparatus, wherein the medium is positioned in a plane defined by a first axis and a second axis, comprising: at least one ~~vertical~~ second axis align roller to align the medium along the second axis; a first axis align roller to align the medium along the first axis; and a feed assistance member comprising: (i) a shaft; and (ii) a feed assistance roller rotably mounted to the shaft and positioned to apply pressure on the medium in the path to stabilize the medium while the medium is being aligned in the path by the at least one second axis align roller, wherein the feed assistance member is not rotably connected

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to the align rollers, wherein the feed assistance member and the at least one second axis align roller are offset with respect to the second axis, and wherein the feed assistance member is mounted between one first axis align roller and one second axis align roller.

Applicants amended these claims to further require that the medium is positioned in a plan defined by a first axis and a second axis and that the feed assistance member and the at least one second axis align roller are offset with respect to the second axis.

Nowhere does the cited Sone disclose the claim requirements that the feed assistance member and the at least one second axis align roller are offset with respect to the second axis, and that the feed assistance member is mounted between one first axis align roller and one second axis align roller. For instance, nowhere does the cited Sone disclose that the cited press roller 29 is offset on an axis with respect to the rollers 4 and 14.

Accordingly, Applicants submit that claim 3, 12, and 21 are patentable over the cited Sone because Sone does not disclose all the claim requirements.

The Examiner rejected claims 11, 23-25, 27, 29, 30, and 32-37 as anticipated by Sone. Applicants traverse because these claims depend directly or indirectly from one of claims 2, 10, 18, and 21, which are patentable for the reasons discussed above.

The Examiner rejected claims 4, 6-9, 13, 15-17, 20, and 22 as obvious (35 U.S.C. §103) over Sone in view of DeFalco (U.S. Patent No. 5,088,848). Applicants traverse for the following reasons.

Claims 4, 6-9, 13, 15-17, 20, and 22 are patentable over the cited art because they depend from one of claims 2, 10, and 18, 21 which are patentable over the cited art for the reasons discussed above and because the Examiner did not cite DeFalco for the deficiencies of Sone with respect to independent claims 2, 10, and 18 discussed above.

CONCLUSION

Applicants submit that, for the above discussed reasons, the pending claims 2-38 are patentable over the art of record. Applicants submit herewith the fee for a one-month extension

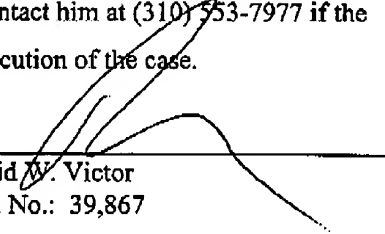
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of time. Nonetheless, should any additional fees be determined to be required, please charge
Deposit Account No. 09-0466.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the
Examiner believes such contact would advance the prosecution of the case.

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